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# Republican Policy Committee

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## No "Supermandate" in Dole/Johnston Substitute

- Opponents of regulatory reform legislation are charging, irresponsibly, that the Dole/Johnston substitute amendment currently under debate in the Senate contains a "supermandate."
- This is simply untrue. The regulatory reform legislation passed by the House earlier this year did contain a "supermandate" — a provision that would have required cost-effective rules even if the underlying statute declares that cost cannot be considered in setting standards.
- The Dole/Johnston substitute amendment takes a different approach.
- The substitute's provisions bring common sense and rationality back to the regulatory process, and would apply to much of the Federal government's regulatory process, but **no existing laws or regulations are overruled by the Dole/Johnston approach.** (The bill does reform the infamous Delaney Clause.)
- Instead, the Dole/Johnston legislation supplements existing standards for new regulations. Within the confines of existing statutory requirements, agencies must select cost-effective options. If the underlying law does not permit selection of a cost-effective option, then the agency must try to select the most cost-effective option it can without violating the restrictions of the underlying statute.
- All laws pertaining to health and safety, from those designed to protect the environment to those constructed to protect us in the workplace, will remain on the books.
- The focus of Dole/Johnston is not to change laws by the back door. Congress can change the laws whenever it wants.
- The focus of Dole/Johnston is to reform the process of executing the laws, and reconnect the actions of Washington to the concerns and needs of Americans outside the Beltway.

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